

**Katherine & Timothy Throckmorton
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March 21, 2016

Judiciary Committee
Room 2500
Legislative Office Building
Hartford, CT 06106

**RE: Testimony SB-415 An Act Prohibiting the Use of Accelerated Rehabilitation
in the Case of Animal Abuse**

Co-Chair Coleman, Co-Chair Tong and Honorable Members of the Judiciary Committee:

As residents of, and licensed attorneys in, the state of Connecticut, we support SB-415, An Act Prohibiting the Use of Accelerated Rehabilitation in the Case of Animal Abuse, particularly as it relates to Subsection (b), malicious and intentional abuse, of Section 53-247, Cruelty to Animals. Such animal abuse is a serious crime not falling within the protections intended by accelerated pretrial rehabilitation, Section 54-56e. Furthermore, expunging such criminal record via accelerated rehabilitation voids the transparency owed to those entering into future business or personal relationships with the abuser.

With new information pointing to the serious nature of animal abuse, it's time, once again, to assess the type of crime most appropriate for the accelerated rehabilitation program.¹ Subsection (a) of the statute explicitly states that the program is available for "... violations for which a sentence to a term of imprisonment may be imposed, which crimes or violations are **not** (emphasis added) of a serious nature." Research now tells us that animal abuse may serve as a precursor to other violent behavior,² an implication that, if taken seriously, could help stem the epidemic of domestic violence in this country. Additionally, as of this year, the Federal Bureau of Investigation reports crimes of animal abuse as a separate offense under its uniform reporting system. Meaning that, rather than compiling these statistics generically in "all other offenses," animal cruelty will be reported in a distinct category along with serious major offenses such as murder, assault and arson.

Furthermore, despite the existing language limiting applicability of the program to non-serious offenses, recent cases of horrific animal abuse, clearly "serious" even before re-evaluating the scope of that term, were treated to the benefits of accelerated rehabilitation. Most notably, in the "Desmond" case a dog was abused, strangled and

¹ The statute has been legislatively revised over decades to modify the crimes subject to its scope.

² Connecticut acknowledges this connection in PA No 14-70 *An Act Concerning Cross Reporting of Child Abuse and Animal Cruelty*.

left dead on the roadside (which abuser, we've read, had previously been charged with attempting to strangle his then domestic partner). Additionally, a horse was sexually abused in Shelton and four alpacas were brutally stabbed to death in Ivoryton. In each of these cases accelerated rehabilitation was invoked and abusers' records expunged.

And that brings us to an overriding concern with the availability of this program to certain animal abuse: Shielding relevant information from background checks makes a potentially *dangerous* sham out of the very purpose behind them. Although second chances are desirable in many situations, in cases of malicious and intentional abuse of any sentient being, which includes animals, the decision for a second chance is appropriately left to the individual or entity with whom that second chance will play out. In the case of animal abusers, a nursing home, daycare center, farm operator or individual seeking in-home child, adult or pet care should have the justifiable ability to make a different hiring decision than may be made by a grocery store, fast food restaurant, marketing firm or brokerage house. The unwary public is owed this information.

Malicious and intentional abuse of animals is a serious crime that should remain on an abuser's record. Research and statistics tell us that there is the potential for future violent behavior by the abuser and the FBI is now looking in that direction, as well. Moreover, a second chance is more fairly left in the hands of those subsequently considering a relationship with the offender and not carte blanche provided by the court.

We request that the legislature enact SB-415 this session with respect to at least subsection (b) of Section 53-247.

Respectfully submitted,

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